

REMARKS

The Office action mailed 29 May 2003, has been received and its contents carefully noted. The pending claims were claims 21-23, 45, 46, and 50-68. Claims 52-68 were withdrawn from consideration, claims 21-23 were allowed, and claims 45, 46, 50, and 51 were rejected. By this amendment, claims 45, 46, 50, and 51 have been amended and claim 52-68 have been cancelled. Support may be found in the specification generally and the claims as originally filed. No statutory new matter has been added. Therefore, entry of the claims as amended is respectfully requested.

Rejection under 35 U.S.C. 112, first paragraph

The Examiner rejected claims 45 and 46 under 35 U.S.C. 112, first paragraph, as being nonenabled. Specifically, the Examiner deemed that prodrugs and active metabolites are not enabled.

Applicants respectfully submit that the claims as amended obviate the rejection. Therefore, the rejection under 35 U.S.C. 112, first paragraph, should properly be withdrawn.

Rejection under 35 U.S.C. 112, second paragraph

The Examiner rejected claim 46 under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the Examiner deemed that it was unclear as to whether claim 46 was directed to a composition or a compound.

Applicants respectfully submit that the claim as amended obviates the rejection. Therefore, the rejection under 35 U.S.C. 112, second paragraph, should properly be withdrawn.

Rejection under 35 U.S.C. 102(a)

The Examiner rejected claim 50 and 51 under 35 U.S.C. 102(a) as being anticipated by Rodriguez *et al.* (J. Nat. Prod. 64:100-102). Specifically, the Examiner deemed that Rodriguez *et al.* teach erogorgianene and 7-hydroxyergorgianene.

Applicants respectfully submit that the claims as amended obviate the rejection. Therefore, the rejection under 35 U.S.C. 102(a) should properly be withdrawn.

Allowable Subject Matter

Applicants gratefully appreciate the Examiner's indication that claims 21-23 are allowed over the prior art.

Request for an Interview

Should there be any remaining issues after entry of the amendment and consideration of the remarks herein, Applicants respectfully request either an in-person interview or a telephonic interview with the Examiner.

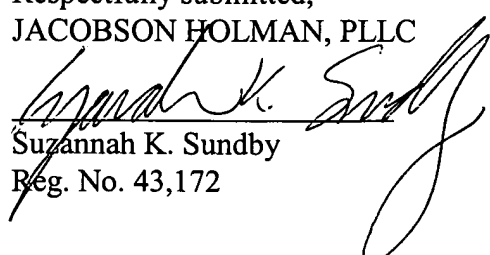
CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. **06-1358**, referencing Attorney Docket No.

P66752US1 (2001-065-2).

Respectfully submitted,
JACOBSON HOLMAN, PLLC


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